

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

DONTÉ HART and JONATHAN TOROK, individually and on behalf of all others similarly situated,	:	ELECTRONICALLY FILED
	:	
	:	
	:	
Plaintiff,	:	No. 2:15-cv-00659
	:	
vs.	:	
	:	Judge Arthur J. Schwab
KSW ENVIRONMENTAL, LLC,	:	
	:	
Defendant.	:	

**UNOPPOSED MOTION FOR LEAVE TO EXCEED
THE PAGE LIMITS FOR PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff Donte Hart ("Hart") and Jonathan Torok ("Torok") (collectively "Plaintiffs") file this Unopposed Motion for Leave to Exceed the Page Limits for Plaintiffs' Motion for Preliminary Approval of Class Action Settlement and show the Court the following:

Using the Western District of Pennsylvania's Alternative Dispute Resolution program, the Parties exchanged basic information regarding the class members' claims and engaged in early mediation.¹ Specifically, Defendant produced the compensation data for each employee over the past three years paid under the fluctuating workweek method who worked out of Pennsylvania. Defendant redacted the names of each employee to protect the class members' identity early in the case. The parties reviewed this information and undertook their own investigations. On November 3, 2015, the parties mediated with an experienced wage and hour

¹ See http://www2.pawd.uscourts.gov/Applications/pawd_adr/Pages/ADRInfo.cfm?

mediator, Carole Katz, in Houston, Texas.² The parties reached a settlement and now seek approval of the settlement by this Court.

The Unopposed Motion for Approval is 20 pages, excluding the table of contents, table of authorities, signature blocks, certificate of service, and certificate of conference. *See* Exhibit A. Plaintiffs required 20 pages to provide the Court the context of the case, terms of the settlement, and explain the case law that allows the Court to preliminarily approve the settlement. The Court traditionally restricts motions to 15 pages (double spaced with no less than 12 point font and one inch page margins).³ Plaintiffs comply with all other aspects of the Court's Practices and Procedures, including a Proposed Order with the Motion for Approval.⁴

Plaintiffs have conferred with Defendant and they are not opposed to this request for an enlargement of the page limits to better explain this settlement to the Court. Therefore, Plaintiffs respectfully request the Court grant this Motion.

² *See* <http://www.carolekatz.com/>

³ *See* Practices and Procedures of Judge Arthur J. Schwab (II)(B) - http://www.pawd.uscourts.gov/sites/pawd/files/schwab_pp.pdf.

⁴ *Id.* at (II)(C).

Respectfully submitted,

/s/ Andrew W. Dunlap

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served by ECF electronic filing on all known parties.

/s/ Andrew W. Dunlap
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CERTIFICATE OF CONFERENCE

I hereby certify that I have spoken with Counsel for Defendant and Defendant is in agreement with the contents of this Motion.

/s/ Andrew W. Dunlap
Andrew W. Dunlap